



#10/Electronic
Amendment
JR
Docket No.: OSTEONICS 3.0-408 11603
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Delogé et al.

Application No.: 10/008,336

Group Art Unit: 3732

Filed: November 8, 2001

Examiner: E. Robert

For: TARGETING APPARATUS FOR USE IN
PERFORMING ENDOFEMORAL
OSTEOTOMY SURGERY

RESPONSE TO RESTRICTION REQUIREMENT RECEIVED

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOV 05 2003

TECHNOLOGY CENTER R3700

Dear Sir:

This communication is in response to the Office Action mailed September 30, 2003, setting forth a Restriction Requirement in the above-identified application. In the Office Action, the Examiner required restriction to one of the following inventions under 35 U.S.C. §121:

- I. Claims 1-36, drawn to a targeting apparatus, classified in class 606, subclass 96.
- II. Claims 37-39, drawn to a kit of parts, classified in class 606, subclass 86.
- III. Claims 40-47 drawn to a targeting apparatus, classified in class 606, subclass 98.

In response, Applicants hereby elect the invention of Group III, corresponding to claims 40-47. Applicants reserve the right to file a divisional application corresponding to the non-elected claims.

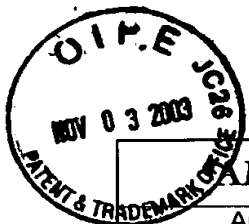
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I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: October 30, 2003

Signature:

(Raymond W. Augustin)



3132

AMENDMENT TRANSMITTAL LETTER				Docket No. OSTEONICS 3.0-408	
Application No. 10/008,336		Filing Date November 8, 2001		Examiner E. Robert	
Applicant(s): Nicolas Delogé, Jean-Pierre Brée, Arnaud Aux Epaulles, Philippe Lavielle, and Christophe Cueille					
Invention: TARGETING APPARATUS FOR USE IN PERFORMING ENDOFEMORAL OSTEOTOMY SURGERY					
TO THE COMMISSIONER FOR PATENTS					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	23	- 47 =		x	0.00
Independent Claims	1	- 3 =		x	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					0.00
<input checked="" type="checkbox"/> Large Entity			<input type="checkbox"/> Small Entity		
<input checked="" type="checkbox"/> No additional fee is required for this amendment.					
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____ A duplicate copy of this sheet is enclosed.					
<input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>12-1095</u> as described below. A duplicate copy of this sheet is enclosed.					
<input checked="" type="checkbox"/> Credit any overpayment.					
<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.					
 Raymond W. Augustin Attorney Reg. No.: 28,588				Dated: <u>October 30, 2003</u>	
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP 600 South Avenue West Westfield, New Jersey 07090 (908) 518-6318					
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.					
Dated: October 30, 2003		Signature: (Raymond W. Augustin)			

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